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Donald S. Prater
Name (Print)

Donald S. Prater
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APR 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: HABECKER et al.

) Examiner: Unassigned

) Application No.: 10/770,895

) Filed: February 3, 2004

) Docket No.: 99024CIPDIV2 (3600-234-03)

) Group Art Unit: Unassigned

) Confirmation No.: Unassigned

OFFICIAL

For: METHOD OF MAKING NIOBIUM AND OTHER METAL POWDERS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.97(b)

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 14, 2004

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached.

This Information Disclosure Statement is being submitted before expiration of the three-month period following filing of the above-captioned application.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

Information Disclosure Statement
U.S. Patent Application No. 10/770,895

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 03-0060.

Respectfully submitted,



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Enclosures: PTO-1449 w/ one document

Page 1 of 1

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| FORM PTO-1449 (REV 7-80) | | | | Atty. Docket No. 99024CIPDIV2 (3600-234-03) | | Application No. 10/770,895 | |
| INFORMATION DISCLOSURE STATEMENT | | | | APPLICANT: Habecker et al. | | | |
| | | | | Filing Date: February 3, 2004 | | Group Art Unit: Unassigned | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER'S INITIALS | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | FILING DATE, IF APPROPRIATE |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
| | Lü, et al., Mechanical Alloying, Kluwer Academic p. 18-19, (1998). | | | | | | |
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| EXAMINER | | | | DATE CONSIDERED | | | |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |

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FACSIMILE TRANSMISSION COVER SHEET

DATE: April 14, 2004

TO: Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 10/770,895
For: METHOD OF MAKING NIOBIUM AND OTHER METAL POWDERS
Our Ref: 99024CIPDIV2 (3600-234-03)

FROM: Luke A. Kilyk, Esq. *LK*

FAC. TEL. NO.: 1-703-872-9306

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 7

Items Attached: Supplemental Information Disclosure Statement -- 2 pages
Form PTO 1449 -- 1 page
Document -- 3 pages

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